

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ADAPTIX, INC.

\_\_\_\_\_,  
Plaintiff(s),

CASE NO. 5:13-cv-1774-PSG

v.  
MOTOROLA MOBILITY  
LLC, et al.\_\_\_\_\_,  
Defendant(s).

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

Non-binding Arbitration (ADR L.R. 4)  
 Early Neutral Evaluation (ENE) (ADR L.R. 5)  
 Mediation (ADR L.R. 6)

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

Private ADR (please identify process and provider) \_\_\_\_\_

Private mediation -- provider to be determined.

The parties agree to hold the ADR session by:

the presumptive deadline (*The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.*)

other requested deadline 60 days from the Court's claim construction order

Dated: 6/25/13

/s/ Daniel M. Shafer  
Attorney for Plaintiff Adaptix

Dated: 6/25/13

/s/ Geoff Godfrey  
Attorney for Defendant Cellco dba Verizon

Dated: 6/25/13

/s/ Tyler T. VanHoutan  
Attorney for Defendant Motorola Mobility

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**[PROPOSED] ORDER**

- The parties' stipulation is adopted and IT IS SO ORDERED.
- The parties' stipulation is modified as follows, and IT IS SO ORDERED.

Dated: \_\_\_\_\_

UNITED STATES MAGISTRATE JUDGE

When filing this document in ECF, please be sure to use the appropriate Docket Event, e.g., "Stipulation and Proposed Order Selecting Mediation."

**CERTIFICATION PURSUANT TO CIVIL L.R. 5-1(i)**  
**RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

1. I am an attorney licensed to practice law in the state of California. I am employed by Banys, P.C., counsel for Plaintiff Adaptix, Inc. The statements herein are made on my personal knowledge, and if called as a witness I could and would testify thereto.

2. The above e-filed document contains multiple signatures. Pursuant to Civil L.R. 5-1(i), I declare that concurrence has been obtained from each of the other signatories to file this jointly prepared document with the Court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

/s/ Daniel M. Shafer